IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4827 OF 2005

Amit A. Thakkar. ... Applicant.

Versus.

The State of Maharashtra. ... Respondent.

Shri Vaibhav G.Bagade for the Applicant.

Ms.Rajashtra M.Gadhavi, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 8th August, 2005.

P.C.:

1. The offence registered against the Applicant and the co-accused is under section 498A, 304-B read with section 34 of the Indian Penal Code. The learned Advocate for the Applicant submitted that the other co-accused are enlarged on bail and the prosecution is not ascribing any specific role to the Applicant. He submitted that the father of the deceased has filed the complaint belatedly and a case is made out for enlarging the Applicant on bail.

2. The learned A.P.P. submitted that the dead body of the wife of the Applicant was found on the Railway track on the same day on which she has allegedly left the matrimonial home and the dead body was identified on the basis of the photograph thereof by the cousin of the deceased in May 2005. She stated that the investigation will be completed within a period of 8 days and the

charge sheet will be filed.

3. Considering the nature of allegations against the Applicant, he is not entitled to be enlarged on bail atleast till completion of the investigation. Hence, no case is made out for grant of bail at this stage. The Application is rejected. The statement of the learned A.P.P. that the investigation will be completed within a period of 8 days is accepted. It will be open for the Applicant to apply afresh before the Sessions Court for bail after the charge sheet is filed.

Judge.